IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
No. 1:18-cv-33-FDW-DSC

FRANCISCO CAVADAS,   )
)
        Plaintiff,   )
)
      v.   )
)   **CONSENT ORDER**
NANCY BERRYHILL,   )
Acting Commissioner of Social   )
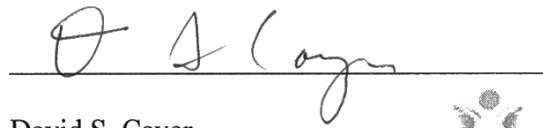Security,   )
)
        Defendant.   )

THIS ACTION being submitted to the Court for entry of a Consent Order agreed to by the parties; and it appearing that the parties have agreed that the Commissioner of Social Security should pay the sum of $4,300.00, in full and final settlement of all claims arising under the Equal Access to Justice Act ("EAJA"). *See* 28 U.S.C. § 2412(d). It also appearing that Plaintiff's counsel should be paid $400.00 in costs from the Judgment Fund by the U.S. Department of Treasury pursuant to 28 U.S.C. § 2412(a)(1).

It is therefore ORDERED that the Judgment Fund by the U.S. Department of Treasury pay to Plaintiff's counsel $400.00 in costs and that the Commissioner of Social Security pay to Plaintiff the sum of $4,300.00 in attorney fees, in full satisfaction of any and all claims arising under EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sums this case is dismissed with prejudice. If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made by check payable to Plaintiff's counsel, Charlotte Hall, and mailed to her office at P.O. Box 10629 Raleigh, North Carolina 27605, in accordance with Plaintiff's assignment to his attorney of his

right to payment of attorney's fees under the EAJA. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel's office address.

SO ORDERED.

Signed: December 3, 2018

David S. Cayer
United States Magistrate Judge